

City of Clearwater

*City Hall
112 S. Osceola Avenue
Clearwater, FL 33756*



Meeting Minutes

Thursday, December 7, 2017

7:00 PM

Council Chambers

City Council

Roll Call

Present: 5 - Mayor George N. Cretekos, Vice Mayor Hoyt Hamilton, Councilmember Doreen Caudell, Councilmember Bob Cundiff and Councilmember Bill Jonson

Also Present: William B. Horne II – City Manager, Jill Silverboard – Deputy City Manager, Micah Maxwell – Assistant City Manager, Pamela K. Akin - City Attorney, Rosemarie Call - City Clerk and Nicole Sprague – Official Records and Legislative Services Coordinator

To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.

Unapproved

1. Call to Order – Mayor Cretekos

The meeting was called to order at 7:00 p.m. at City Hall.

2. Invocation – Mayor Cretekos**3. Pledge of Allegiance – Councilmember Cundiff****4. Special recognitions and Presentations (Proclamations, service awards, or other special recognitions. Presentations by governmental agencies or groups providing formal updates to Council will be limited to ten minutes.) – Given.****4.1** Item Pulled.**4.2** 2017 Carol Easterling Award Recipient- Central Region

Hunter Hughes provided a video presentation and presented Jennifer Hayes with the 2017 Carol Easterling Award.

4.3 ARC Festival of Trees - Madison Orr Hauenstein, Executive Director, The Arc

Ms. Orr thanked Council and staff for their continued support and efforts. She provided Councilmembers a handmade ornament as a token of appreciation.

4.4 Environmental Advisory Board Presentation - Jared Leone, EAB Chair

Mr. Leone reviewed the Board's accomplishments for the past year and topics of interest for the upcoming year.

4.5 Library Board Update - Barbara Blakely, Library Board Chair

Ms. Blakely reviewed the Board's accomplishments for the past year and thanked Council and staff for their continued support and efforts.

5. Approval of Minutes

- 5.1** Approve the minutes of the November 16, 2017 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Jonson moved to approve the minutes of the November 16, 2017 City Council Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

6. Citizens to be heard re items not on the agenda

Boyd Hall expressed concern with the City's increased water fee, which has been raised three times during the last 1.5 years, and stated that the City failed two EPA inspections. He questioned the City's water conservation efforts.

7. Consent Agenda – Approved as submitted.

- 7.1** Approve participation and subscription in the ISO ClaimSearch for Non-Insurers Database effective January 1, 2018 through December 31, 2018, pursuant to City Code Section 2.564 (l) (i), services associated with Risk Management Casualty and Liability claims services; approve a not-to-exceed total of \$10,000 for the annual membership fee and as-needed claim search fees; and authorize the appropriate officials to execute same. (consent)
- 7.2** Authorize a Purchase Order to WescoTurf, Inc., of Sarasota, Florida, in the amount of \$14,560 for mower equipment purchase less trade-in of mower (\$30,460 less trade in value of \$15,900), in accordance with City Code of Ordinances 2.624(6) Exceptions to Sale of Surplus Property and 2.564(1)(d) Other Government Entities Bids, and authorize the appropriate officials to execute same. (consent)
- 7.3** Award a construction contract to Keystone Excavators, Inc. of Oldsmar, Florida, in the amount of \$3,126,188.51 for Druid Trail Phase IV (04-0021-PR) and authorize the appropriate officials to execute same. (consent)
- 7.4** Award a Blanket Purchase Order to Encore Broadcast Systems, Inc. of Tampa, FL, in the amount of \$563,000 for the purchase of advanced audio-video equipment for Main

Library, Fire Station 45, Police sites, Public Utilities sites, and General Services; increase the budget in capital improvement project 315-94890, Advanced Enterprise Audio Visual R and R by \$563,000 and authorize the appropriate officials to execute same. (consent)

- 7.5** Approve the purchase of HVAC replacement and repair parts in the amount of \$300,000 for Fiscal Year 2017/18, to vendors as listed, in accordance with City Code of Ordinances Section 2.564(1)(d) Other Government Entities Bids, to include other sourced vendors as required, and authorize the appropriate officials to execute same. (consent)
- 7.6** Approve a proposal from Construction Manager at Risk, Khors Construction, Inc. of Thonotosassa, FL, in the amount of \$375,267.19 for improvements to Pier 60 - Project KC-1801 and authorize the appropriate officials to execute same. (consent)
- 7.7** Approve a Purchase Order with Pasco Investment Land, LLC, in the amount of \$600,000 for payment of Energy Conservation Allowances and authorize the appropriate officials to execute same. (consent)
- 7.8** Approve Walbridge Aldinger of Tampa, FL as the Construction Manager (CM) at Risk firm for the Clearwater Gas System Facility Redevelopment Project (15-0043-GA); authorize the guaranteed maximum price (GMP) of \$23,359,100 to Walbridge Aldinger, and authorize the appropriate officials to execute same. (consent)
- 7.9** Approve Brownfield Site Rehabilitation Agreement (BSRA) BF529701006 for the property located at 400 N. Myrtle Avenue, Clearwater, Florida, formerly known as the Clearwater Manufactured Gas Plant (MGP), parcel 09-29-15-74052-000-0020, located within the designated Clearwater Brownfields Area and authorize the appropriate officials to execute same. (consent)
- 7.10** Authorize a Work Order to Kimley-Horn and Associates, Inc. of Tampa, Florida in the amount of \$125,000.00 to prepare a Complete Streets Concept Plan for the City of Clearwater, and authorize the appropriate officials to execute same. (consent)
- 7.11** Authorize a Work Order to Kimley-Horn and Associates, Inc., of Tampa, Florida, in the amount of \$75,000, to prepare a Complete Streets Concept Plan for Drew Street from North Osceola Avenue to US Highway 19, and authorize the appropriate officials to execute same. (consent)
- 7.12** Appoint Candace Gardner to the Environmental Advisory Board with a term to expire December 31, 2021. (consent)
- 7.13** Appoint Linda Kemp and Carmen Santiago to the Neighborhood and Affordable Housing Advisory Board (NAHAB) for the Banking/Mortgage industry and the Clearwater resident

special qualifications with terms to expire November 30, 2021. (consent)

- 7.14** Request for authority to file a probate case to administer an estate in the matter of Doretha Carson Leverson. (consent)

Councilmember Caudell moved to approve the Consent Agenda as submitted and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

Public Hearings - Not before 6:00 PM

8. Administrative Public Hearings

- 8.1** Declare surplus for the purpose of sale, through Invitation to Bid 05-18, real property formerly used as city right-of-way located in Section 17, Township 29 South, Range 16 East whereby the successful bidder will assemble the property with meaningful development with an express prohibition against the parcel becoming an uneconomic remainder.

November 12, 1968, the City of Clearwater acquired this strip of land, which runs along the east side of Thornton Road, to use for Right-of-Way purposes. The adjacent property owner expressed interest in acquiring this piece of land to support the parking lot on their site.

This strip of land runs along the east side of Thornton Road and is approximately 10 ft. by 900 ft. Its size and shape impose limitations on potential land uses. Any meaningful development of the property will require the use of adjacent lands.

An independent appraisal was performed on the property on April 20, 2017 by Jim Millspaugh and Associates. This appraisal report determined that the fair market value is \$230,000. Per City Charter 2.01, real property declared surplus shall be sold to the party submitting the highest competitive bid above the appraised value whose bid meets the terms set by City Council and whose proposed use of the property is in accordance with the Council's stated purpose for declaring the property surplus.

Real Estate Coordinator Jim Benwell said the starting bid will have to exceed the appraised value.

Councilmember Cundiff moved to declare surplus for the purpose of sale, through Invitation to Bid 05-18, real property formerly used as city right-of-way located in Section 17, Township 29 South,

Range 16 East whereby the successful bidder will assemble the property with meaningful development with an express prohibition against the parcel becoming an uneconomic remainder. The motion was duly seconded and carried unanimously.

- 8.2** Approve the First Amendment to the 2016 Affordable Housing Inventory List pursuant to requirements of Chapter 166.0451, Florida Statutes, adopt Resolution 17-38 and authorize the appropriate officials to execute same.

The 2006 Legislature amended Chapter 166, Florida Statutes, adding Section 166.0451 entitled "Disposition of municipal property for affordable housing." The state statute includes that the governing body of each municipality must review the proposed affordable housing inventory list at a public hearing, and may revise the list at the conclusion of the hearing. Following the public hearing, the local governing body must adopt a resolution that includes an inventory list of such property deemed appropriate for affordable housing development. On June 16, 2016, the City Council adopted Resolution 16-14, the 2016 Affordable Housing Inventory to identify seven City-owned parcels of land appropriate for use as affordable housing. The City has identified two additional parcels of land making it a total of nine parcels to which it has title as appropriate for use as affordable housing.

The two additional properties are located at 1415 Taft Avenue, acquired by the City in 2001 and 404 Blanche B. Littlejohn Trail acquired in 2015. Both properties were acquired at no cost to the City.

In response to a question, Economic Development and Housing Assistant Director Chuck Lane said the 1164 La Salle property is a stormwater property and not suitable for housing.

Vice Mayor Hamilton moved to approve the First Amendment to the 2016 Affordable Housing Inventory List pursuant to requirements of Chapter 166.0451, Florida Statutes and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

**Resolution 17-38 was presented and read by title only.
Councilmember Jonson moved to adopt Resolution 17-38. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Cretkos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

8.3 Approve the City of Clearwater's Fiscal Year 2016-2017 Consolidated Annual Performance and Evaluation Report (CAPER).

The Consolidated Annual Performance and Evaluation Report (CAPER) is the principal administrative report documenting the City's expenditures for Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs to the U.S. Department of Housing and Urban Development (HUD). For Fiscal Year (FY) 2016-2017, the City's entitlement allocation was \$667,634 in CDBG and \$285,238 in HOME Program funds, \$954,041 of Prior Year funds and \$1,147,951 of Program Income for a total budget of \$3,054,864 from federal funds.

The report provides HUD with necessary information for the Department to meet its requirement to assess each grantee's ability to carry out relevant Community Planning and Development programs in compliance with all applicable rules and regulations. It also provides information necessary for HUD's Annual Report to Congress and it provides grantees an opportunity to describe to citizens their successes in revitalizing deteriorated neighborhoods and in meeting objectives stipulated in their Consolidated Planning document. In addition to reporting activities carried out with federal money, a summary of activities conducted with the Florida State Housing Initiatives Partnership (SHIP) Program and Pinellas County Housing Trust Fund Program is also included in the narrative section; however, these numbers are not included in the totals below.

Through the CDBG and HOME program activities, total expenditures were \$1,629,332 in FY 2016-2017, which included program income and funding from the prior year reprogrammed funds. Those funds not expended from this year's budget will be programmed in future years.

The City of Clearwater's FY 2016-2017 CAPER contains information on the City's assessment of the following activities:

- Assessment of Four Year Goals and Outcomes
- Resources and Investments
- Affordable Housing
- Homeless and Other Special Needs
- Public Housing
- Other Actions to Address Barriers to Affordable Housing
- Monitoring
- CDBG
- HOME

Over 2,200 persons were assisted through Community Development and

Public Services, Homelessness, Housing, Non-Homeless Special Needs, and Economic Development activities during FY16-17.

A brief summary of FY 2016-2017 accomplishments are:

- Provided thirteen down payment and closing cost assistance loans totaling \$137,959.
- Provided the Arc of Tampa Bay \$99,500 for the rehabilitation and upgrading of their rehabilitation room and upgrading of doors at the Long Center.
- Provided \$29,950 for the rehabilitation of two owner occupied homes.
- Provided \$265,875 of funding toward the construction of Garden Trail Apartments.
- Provided Community Services Foundation \$105,721 for the rehabilitation of Fulton Avenue Apartments.
- Provided \$296,568 to Habitat for Humanity of Pinellas County for the construction of six single-family homes.
- Provided \$268,587 for the acquisition and rehabilitation of two single family homes.

The City's Neighborhood and Affordable Housing Advisory Board recommended City Council approval of the FY 2016-2017 CAPER at their meeting on November 28, 2017. The CAPER is due to HUD no later than December 30, 2017.

Housing Manager Joe Riddle provided a PowerPoint presentation.

Councilmember Cundiff moved to approve the City of Clearwater's Fiscal Year 2016-2017 Consolidated Annual Performance and Evaluation Report (CAPER). The motion was duly seconded and carried unanimously.

8.4 Accept the 2017 Local Housing Incentive Strategy (LHIS) Report developed by the Affordable Housing Advisory Committee (AHAC).

Florida Statute Section 420.9076 states that counties and cities receiving State Housing Initiatives Partnership (SHIP) program funds are required to appoint an eleven member Affordable Housing Advisory Committee (AHAC). The statute further provides that the committee be made up of members from a specific industry or a specific group as identified in the statute. The requirement was largely met through the use of the City's existing Neighborhood and Affordable Housing Advisory Board (NAHAB). The City Council adopted Resolution 17-34 that created and appointed the AHAC.

The duties of the AHAC included reviewing policies and procedures, ordinances, land development regulations and the City's adopted comprehensive plan and recommending specific actions or initiatives to

encourage or facilitate affordable housing.

Per state statute, at a minimum, the AHAC reviewed and made recommendations on the following:

- (a) The processing of approvals of development orders or permits, as defined in F.S.163.3164 (7) and (8), for affordable housing projects is expedited to a greater degree than other projects.
- (b) The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
- (c) The allowance of flexibility in densities for affordable housing.
- (d) The reservation of infrastructure capacity or housing for very-low income persons, low-income persons, and moderate-income persons.
- (e) The allowance of affordable accessory residential units in residential zoning districts.
- (f) The reduction of parking and setback requirements for affordable housing.
- (g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- (h) The modification of street requirements for affordable housing.
- (i) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- (j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- (k) The support of development near transportation hubs and major employment centers and mixed-use developments.

In August 2017, the Economic Development and Housing Department contracted with Wade Trim, Inc. to help facilitate the process. Wade Trim coordinated the preparation of the Local Housing Incentive Strategy report in cooperation with the City's staff and the AHAC. The LHIS encompasses the definition, vision, strategic focus areas and incentive recommendations in order to facilitate the development and preservation of affordable housing in the City of Clearwater. The AHAC convened on three separate occasions in order to develop and identify the value of affordable housing, identify the principles for Clearwater's affordable housing and develop a vision statement to be included as part of the LHIS.

The report highlights an affordable housing vision statement that was derived from input by committee members. Additionally, the AHAC members focused on the values that affordable housing brings to the City of Clearwater. The themes identified centered on the values that affordable housing supports a dynamic and competitive economy, improves the social well being that builds a sense of community, and ensures that the City's workforce can live within the city limits.

Furthermore, the AHAC also discussed and confirmed the principles that the provisions of affordable housing in the City of Clearwater should embrace: affordability over the long term, diversity that provides for a mix of income levels, sustainability, accessibility for persons with physical barriers, well-designed, in character with the surrounding neighborhood, strategically-located, and pedestrian-oriented with access to mass transit and open space.

In summary, the report recommends the City continues in large part the strategies, with minor changes and clarifications, from the 2014 LHIS Report.

One new recommendation was added for Council consideration:

- (1) Recommendation 10.4 - The Economic Development and Housing Department should coordinate with the Planning and Development Department to identify properties having repeat code violations that may be suitable for rehabilitation, acquisition or demolition for affordable housing.
- (2) The LHIS report is due every three years on December 31st of the year preceding the submission of the Local Housing Assistance Plan (LHAP). The report must be submitted to the City Council by December 31, 2017.

The City Council is being asked to review the LHIS recommendations that were approved by the AHAC on November 28, 2017. By March 31, 2018, the City Council will be asked to adopt an amendment to the LHAP to incorporate the strategies it will implement for the City. The amendment must include, at a minimum, the State required incentive strategies specified above.

Upon acceptance, the City of Clearwater is required to notify the State of its adoption of an amendment to its LHAP to incorporate the incentive strategies. The notice must also include a copy of the approved amended plan in order to comply with the SHIP programs participation guidelines.

Vice Mayor Hamilton moved to accept the 2017 Local Housing Incentive Strategy (LHIS) Report developed by the Affordable Housing Advisory Committee (AHAC). The motion was duly seconded and carried unanimously.

9. Second Readings - Public Hearing

- 9.1** Adopt Ordinance 9062-17 on second reading, approving amendments to the Clearwater Comprehensive Plan Utilities Element to address the City of Clearwater's Potable Water Supply Facilities Work Plan (2016-2026 Planning Period). (CPA2017-06002)

On August 17, 2017, the Clearwater City Council approved on first reading amendments to the *Clearwater Comprehensive Plan* to include updated information based on the recent update to the Potable Water Supply Facilities

Work Plan (2016-2026) (Work Plan) completed by Tetra Tech, Inc. As required by Florida Statutes, the proposed text amendments and the Work Plan were submitted to the Florida Department of Economic Opportunity (DEO) and other required State agencies and Pinellas County for review and comment.

The Planning and Development Department received responses from DEO, Florida Department of Transportation, Florida Department of Environmental Protection, and Pinellas County stating they had no comments on and/or objections to the proposed amendments and Work Plan. Staff received comments from the Southwest Florida Water Management District (SWFWMD) requesting that additional information be included within the Work Plan to fully address the statutory requirements. However, no changes to the proposed comprehensive plan amendments were required.

Engineering Department staff coordinated with Tetra Tech, Inc. to address the SWFWMD's comments within the Work Plan.

Ordinance 9062-17 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 9062-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

9.2 Adopt Ordinance 9042-17 on second reading, amending the Community Development Code pertaining to Medical Marijuana.

In response to questions, the City Attorney said Clearwater has an existing dispensary; the City cannot ban the dispensary that has been approved. She said staff could research banning future dispensaries. Assistant City Attorney Camilo Soto said the Community Development Board would make the determination if the dispensary could be located at least 500 ft. from a school under a Level 2 approval. The State of Florida requires a waiver if the dispensary is located within 500 ft. of a school. Mr. Soto said there are licensees that can open dispensaries within regions, which is currently limited to seven but can increase based on population growth.

Ordinance 9042-17 was presented and read by title only. Councilmember Caudell moved to adopt Ordinance 9042-17 on second and final reading. The motion was duly seconded and carried by the following vote:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.3** Adopt Ordinance 9048-17 on second reading, amending the City's Comprehensive Plan in accordance with Florida Senate Bill 1094 (2015) "Peril of Flood Act."

Ordinance 9048-17 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 9048-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.4** Adopt Ordinance 9066-17 on second reading, annexing certain real property whose post office address is 921 Berkley Place, Clearwater, Florida 33765, together with certain rights-of-way of Berkley Place and Palmetto Street, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 9066-17 was presented and read by title only. Vice Mayor Hamilton moved to adopt Ordinance 9066-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.5** Adopt Ordinance 9067-17 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 921 Berkley Place, Clearwater, Florida 33765, upon annexation into the City of Clearwater, as Residential Urban (RU).

Ordinance 9067-17 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 9067-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.6** Adopt Ordinance 9068-17 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 921 Berkley Place, Clearwater, Florida 33765, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 9068-17 was presented and read by title only.

Councilmember Caudell moved to adopt Ordinance 9068-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.7** Adopt Ordinance 9069-17 on second reading, annexing certain real properties whose post office addresses are 901, 911, and 917 Glen Oak Avenue East, 3025 and 3061 Glen Oak Avenue North, 3026 Grand View Avenue, 3046 and 3053 Hoyt Avenue, 3065 and 3071 Merrill Avenue, 911 Moss Avenue, and two unaddressed parcels more appropriately known as Lake Louise and Lake Carol, all in Clearwater, Florida, 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 9069-17 was presented and read by title only.

Councilmember Cundiff moved to adopt Ordinance 9069-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.8** Adopt Ordinance 9070-17 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real properties whose post office addresses are 901, 911, and 917 Glen Oak Avenue East, 3025 and 3061 Glen Oak Avenue North, 3026 Grand View Avenue, 3046 and 3053 Hoyt Avenue, 3065 and 3071 Merrill Avenue, 911 Moss Avenue, and two unaddressed parcels more appropriately known as Lake Louise and Lake Carol, all in Clearwater, Florida, 33759, upon annexation into the City of Clearwater, as Residential Low (RL) and Water Drainage Feature Overlay.

Ordinance 9070-17 was presented and read by title only. Vice Mayor Hamilton moved to adopt Ordinance 9070-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.9** Adopt Ordinance 9071-17 on second reading, amending the Zoning Atlas of the city by zoning certain real properties whose post office addresses are 901, 911, and 917 Glen

Oak Avenue East, 3025 and 3061 Glen Oak Avenue North, 3026 Grand View Avenue, 3046 and 3053 Hoyt Avenue, 3065 and 3071 Merrill Avenue, 911 Moss Avenue, and two unaddressed parcels more appropriately known as Lake Louise and Lake Carol, all in Clearwater, Florida, 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 9071-17 was presented and read by title only.

Councilmember Jonson moved to adopt Ordinance 9071-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.10** Adopt Ordinance 9080-17 on second reading, annexing certain real property whose post office address is 1712 Evans Drive, Clearwater, Florida 33759 into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 9080-17 was presented and read by title only.

Councilmember Caudell moved to adopt Ordinance 9080-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.11** Adopt Ordinance 9081-17 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 1712 Evans Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL) and Drainage Feature Overlay.

Ordinance 9081-17 was presented and read by title only.

Councilmember Cundiff moved to adopt Ordinance 9081-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.12** Adopt Ordinance 9082-17 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 1712 Evans Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 9082-17 was presented and read by title only. Vice Mayor

Hamilton moved to adopt Ordinance 9082-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.13** Adopt Ordinance 9083-17 on second reading, annexing certain real properties whose post office addresses are 900 Glen Oak Avenue East, 3024, 3030, 3031, and 3055 Glen Oak Avenue North, 3058 Grand View Avenue, 3013 Lake Vista Drive, 701, 708, and 906 Moss Avenue, and 3063 and 3069 Terrace View Lane, all in Clearwater, Florida, 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 9083-17 was presented and read by title only.
Councilmember Jonson moved to adopt Ordinance 9083-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.14** Adopt Ordinance 9084-17 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real properties whose post office addresses are 900 Glen Oak Avenue East, 3024, 3030, 3031, and 3055 Glen Oak Avenue North, 3058 Grand View Avenue, 3013 Lake Vista Drive, 701, 708, and 906 Moss Avenue, and 3063 and 3069 Terrace View Lane, all in Clearwater, Florida, 33759, upon annexation into the City of Clearwater, as Residential Low (RL).

**Ordinance 9084-17 was presented and read by title only.
Councilmember Caudell moved to adopt Ordinance 9084-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.15** Adopt Ordinance 9085-17 on second reading, amending the Zoning Atlas of the city by zoning certain real properties whose post office addresses are 900 Glen Oak Avenue East, 3024, 3030, 3031, and 3055 Glen Oak Avenue North, 3058 Grand View Avenue, 3013 Lake Vista Drive, 701, 708, and 906 Moss Avenue, and 3063 and 3069 Terrace View Lane, all in Clearwater, Florida, 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 9085-17 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 9085-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.16** Adopt Ordinance 9086-17 on second reading, annexing certain real property whose post office address is 1758 Lucas Drive, Clearwater, Florida 33759 into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 9086-17 was presented and read by title only. Vice Mayor Hamilton moved to adopt Ordinance 9086-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.17** Adopt Ordinance 9087-17 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 1758 Lucas Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL).

Ordinance 9087-17 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 9087-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.18** Adopt Ordinance 9088-17 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 1758 Lucas Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 9088-17 was presented and read by title only. Councilmember Caudell moved to adopt Ordinance 9088-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.19** Adopt Ordinance 9089-17 on second reading, annexing certain real property whose post office address is 1302 South Duncan Avenue, Clearwater, Florida 33756, together with certain right-of-way of South Duncan Avenue, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 9089-17 was presented and read by title only.

Councilmember Cundiff moved to adopt Ordinance 9089-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.20** Adopt Ordinance 9090-17 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 1302 South Duncan Avenue, Clearwater, Florida 33756, upon annexation into the City of Clearwater, as Residential Low (RL).

Ordinance 9090-17 was presented and read by title only. Vice Mayor Hamilton moved to adopt Ordinance 9090-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

- 9.21** Adopt Ordinance 9091-17 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 1302 South Duncan Avenue, Clearwater, Florida 33756, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 9091-17 was presented and read by title only.

Councilmember Jonson moved to adopt Ordinance 9091-17 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Cretekos, Vice Mayor Hamilton, Councilmember Caudell, Councilmember Cundiff and Councilmember Jonson

10. City Manager Reports

- 10.1** Approve Mutual License and Use Agreement between the City of Clearwater (City) and BW CW Hospitality LLC (BWCW) of Houston Texas to allow for the construction of a

pedestrian overpass by BWCW from the BWCW property over City Right-of-Way to City property known as Beach Walk and authorize the appropriate officials to execute same.

Item Pulled.

BWCW desires to install a pedestrian overpass from their multistory hotel development currently known as the Hyatt on Clearwater Beach over S. Gulfview Blvd. ROW to Beach Walk. This overpass will allow pedestrians to access Clearwater Beach directly from the parking garage and BWCW property without having to cross S. Gulfview Blvd.

As part of the Development Agreement between the City and BWCW, they were responsible to provide a minimum of 400 publicly accessible parking spaces. Persons parking in these spaces must cross S. Gulfview Blvd. to access Beach Walk and Clearwater Beach.

BWCW will be responsible for all costs of and construction of the new overpass structure and amenities; as well as all future maintenance and upkeep of the structure. Construction of the overpass must begin within two years and completed within eight months of the commencement date of the construction.

BWCW agrees to maintain 400 public parking spaces, to not exclude the public from the access and use of the overpass and public parking spaces and to continue to maintain the overpass according to Overpass Standards, set forth in the agreement.

The City may terminate the agreement for a greater public purpose or in the event BWCW does not comply with the conditions set forth in the agreement.

The City Attorney said the Applicant requested Item 10.1 be pulled from today's agenda. The item will come back to Council at a future date.

- 10.2** Ratify and confirm an Interlocal Agreement between Pinellas County and its NPDES Co-Permittees for the Implementation and Operation of a Surface Water Quality and Biological Monitoring Program; approve the First Amendment to the Interlocal Agreement between Pinellas County and NPDES MS4 Co-Permittees for Water Quality and Biological Monitoring and authorize the appropriate officials to execute same.

This interlocal agreement covers the surface water quality monitoring and biological monitoring program administered by Pinellas County. This agreement was originally signed by the City Engineer in 2013, but similar agreements for monitoring have been in place since 2002. The monitoring program is a requirement of the stormwater permit issued by the Florida Department of Environmental Protection.

The City is responsible for 12.05% of the total costs, which is based on acreage.

The amendment to the agreement is a time extension only and is in effect until

2020.

Councilmember Caudell moved to ratify and confirm an Interlocal Agreement between Pinellas County and its NPDES Co-Permittees for the Implementation and Operation of a Surface Water Quality and Biological Monitoring Program; approve the First Amendment to the Interlocal Agreement between Pinellas County and NPDES MS4 Co-Permittees for Water Quality and Biological Monitoring and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

11. City Attorney Reports – None.

12. Other Council Action – None.

13. Closing comments by Councilmembers (limited to 3 minutes)

Councilmember Jonson recognized the passing of former Council Assistant Carolyn Brink. He said he noticed the decorative street lights on Cleveland Street still utilize the sodium vapor bulbs instead of the new LED bulbs. He spent the day in Orlando at the Florida League of Cities Legislative Conference and emphasized the importance of Council to explain the impact of legislation to the legislators. He was impressed to learn that Mayor Cretokos was elected to the Florida League of Mayors board and it is great to have Clearwater as part of that leadership. He commented on the traffic in Orlando and Tampa and emphasized the importance of safety on the roadway during the holiday season.

Vice Mayor Hamilton remembered former Council Assistant Carolyn Brink. He said he was looking forward to the cooler weather arriving and urged all to be careful on the water during the Holiday Boat Parade.

Councilmember Cundiff said today is Pearl Harbor Day and that as a high school newspaper editor, he had the opportunity to interview an alum who was alive during that time. He thanked the Veterans and all those who served bravely over the years and said the price of freedom is eternal vigilance.

Councilmember Caudell expressed sympathies to families of all employees and former employees who passed away this year. She echoed comments made during the Festival of Trees presentation and the ARC's annual theme to smile. She encouraged all to slow down and take a moment and try to smile as much as possible. She said there is a Jeeps and Brews event taking place in downtown on Saturday and proceeds will help support Clearwater Firefighters.

14. Closing Comments by Mayor

Mayor Cretekos reviewed recent and upcoming events, encouraged all to be grateful for living in Clearwater and to donate time, money or talent to community members in need.

15. Adjourn

The meeting adjourned at 8:17 p.m.

Attest

Mayor
City of Clearwater

City Clerk